

**UST Regulation – Public Meeting Minutes – Operator Training
April 24, 2008 1:00pm @ DEQ PRO**

Attendees:

DEQ: Russ Ellison

Renee Hooper

Public: Dan Moyers, Dominion VA Power

Bill Wilkinson, Dominion VA Power

Josh Worth, WAWA Convenience Stores

Barbara Brumbaugh, City of Chesapeake

David Gauthier, City of Chesapeake

Russ Ellison called the meeting to order at 1:05 pm and gave a short presentation. In his presentation, Mr. Ellison reviewed the EPA Operator Training guidance and regulation development process.

Public Comments:

Barbara Brumbaugh – City of Chesapeake

Comment: Any provisions for making emergency response contractors meet the same requirements as operators? For example entities that are responsible for emergency response i.e., cleanup contractors.

Responses: DEQ responded that this hasn't been addressed in guidance or by EPA to our knowledge. If your employees are operating the tanks daily then they would be the ones who need to get the training not the emergency contractors you may occasionally call.

Dan Moyers - Dominion Virginia Power

Comment: Clarification request....are deferred tanks out of this requirement?

Response: Deferred and excluded USTs are out, except for emergency generator tanks.

Russ Ellison – DEQ

Comment: Would you have a sense of who your operator classes would be?

Responses: VA Power: yes, we have employees that fall into every category—referenced corporate officials as Class A and employees to cover day-to-day operations, as well.

Dominion Virginia Power: Will there be a requirement option for third party training?

DEQ Response: For Class C, they can be trained by Class A and B. The program will be designed to accommodate training programs the operator institutes in house. So we may be developing guidance to let operators know what they need to train on to get approval to use their own programs.

Josh Worth – WAWA:

Comment: I've attended several of these sessions for other states and a big question is how to get approval from the state to use your own program. What are the criteria?

Responses: Dominion Virginia Power: Might be a good idea to think about state AST training which is self training. AST Regulation provides guidelines for that training. State DEQ inspectors check for AST training as part of the AST inspection so that might be a way to check it on the UST side too. Russ Ellison, DEQ noted the training criteria and topic areas in the EPA guideline for each class as a basic training outline.

Josh Worth - WAWA:

Comment: In PA, the smaller operations, they were trying to push the state to allow distributors to provide the training to the mom and pops they serve to help deal with the financial burden of training.

Josh Worth - WAWA:

Comment: Class B training will be impacted by constant turnover too like the Class C clerks have even higher turnover.

Bill Wilkinson - Dominion Virginia Power

Comment: It is a good idea to have option of self training because if you get involved with training requirements for multiple programs, it becomes burdensome, e.g., wastewater treatment.

Russ Ellison, DEQ - talked about what triggers a retraining requirement—this topic will need lots of discussion.

Josh Worth - WAWA:

Comment: In other states, only thing that triggers retraining was issuance of an NOV.

Barbara Brumbaugh – City of Chesapeake:

Comment: If you do have a self training program, then will the state provide the criteria?

Response: Russ Ellison, DEQ: We would have to and the topic areas are in the guidelines. State may have to audit the training programs to ensure minimal training criteria are met.

Josh Worth - WAWA:

Comment: So do you envision we can we tailor the training program to our specific UST equipment and specific needs?

Response: Russ Ellison, DEQ: Yes that may be possible. For example, someone who has all fiberglass tanks may not need to have training on tank corrosion protection.

Russ Ellison, DEQ reviewed the regulation timeline and when he thought the regulation would become final in 2009.

Barbara Brumbaugh - City of Chesapeake: The City of Chesapeake will have different groups that have to comply—school boards, municipalities, service stations, etc.

City of Chesapeake: I would like to see something that is meaningful enough that gives people the training they need. Something understandable.

Group talked about utilizing different training options for different organizations.

Josh Worth - WAWA: We have environmental staff that travels to each facility several times a year to inspect, but would these individuals be considered “daily” Class B operators?

Response: Depends upon how you define “daily” operations and how many sites the Class B individual could attend to on a daily basis.

Meeting closed at 2:00 pm.